

**MINUTES OF THE REGULAR MEETING OF
THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
FOR February 20, 2019**

ROLL CALL

In attendance: Brendan McDonough, Bill Andersen, John Sorich, Dan Callahan, Shawn Fredrickson, Josh O'Neill, Eric Mankins, John Morgan, Michele Shea, Dan Olsen

Also, in attendance: Jason Parish, Laura Sargent, Eileen Joyce, Danette Gleason and

Absent: Jim Fisher and Cindi Shaw

PRAYER AND PLEDGE

Led by Commissioner McDonough

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

None

APPROVAL OF THE MINUTES

Regular Meeting Minutes January 16, 2019

Regular Meeting Minutes February 6, 2019

It was moved by Commissioner Morgan, seconded by Commissioner McDonough and passed by a unanimous verbal vote to approve the minutes of the Regular meeting of January 16, 2019 and February 6, 2019.

ITEMS NOT ADDRESSED ON THE AGENDA

It was moved by Commissioner Morgan and seconded by Commissioner Shaw and passed by a verbal vote of 12 yea and 0 nay, to suspend the rules for the purpose of holding a Public Hearing, to hear public comments regarding Council Bill 19-1, Council Ordinance 19-1 and Council Bill 19-2, Council Ordinance 19-2.

This will be place on the agenda for this evening.

Chief Executive Palmer:



Several went over to Helena to testify in favor of the Senate Bill 243, which redoes the methods of assessment for Road Maintenance districts. Had a good showing. Monday the Committee voted to pass this on. This is good for us. Will allow us to better assess our taxes for Road Maintenance and may allow us to lower that.

PUBLIC HEARING: COUNCIL BILL 19-01, COUNCIL ORDINANCE 19-01
COUNCIL BILL 19-02, COUNCIL ORDINANCE 19-02

There was proof of publication for the 10th and 17th of February.

Danette Gleason-Finance & Budget Director

- We have been working on these Ordinances for months in the Judiciary Committee.
- Glen Rafish, Danette Gleason and Eileen Joyce worked on some of the changes before presenting it to the Judiciary Committee.
- Did a Presentation in November?
- Moved through the process of making changes to the Ordinance.
- Clarifying definitions – surrounding disposal & residential disposal
- Clarifying a system that will be used to more accurately weigh loads

Glen Rafish-Finance & Budget Director

- All loads coming into the landfill will have to be secured with a cover or tarp, those failing to do so will be assessed a \$20 fee.
- That fee will be paid at that time to dump the load. The current system of writing a ticket is not working.
- Would like to charge by “tons” instead of “yard”
- The current method is an estimate, by weighing using the scale, it will be much more accurate.
- Residential Material loads If you have a load and you exceed 1,000 lbs. you will be charged a \$20 charge/per ton.
- Normal household waste should not exceed 1,000 lbs. per load.
- Large trucks, trailers, dump trucks do not fall under residential loads.
- It will affect approximately 20% of the community.
- Starting March 15-April 30 should this pass, have a hand out at the landfill window, we would like to put a flyer explaining the changes, in the water bill and maybe an article in the newspaper.
- Hope to start this May 1st, that would give them 45-day period to get the information out to the customers.

Open the Public Hearing
Proponents: None
Opponents: None



Close the Public Hearing

PUBLIC HEARING-COMMUNICATION NO. 19-58

- Nicole Evankovich-Assistant Director Butte Archives
- We have been awarded \$12,000 to partner with the Montana Preservation Alliance and conduct archival and information workshops with the Jewish, Hispanic, Finnish, and German Communities in Butte.
- Information collected will result in exhibits focused on each Nationality.
- To date these exhibits we have done so far have been every successful.
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Open the Public Hearing

Proponents: None

Opponents: None

Close the Public Hearing

PRESENTATION- COMMUNICATION NO. 19-56

Danette Gleason-Finance & Budget Director

Mid annual review, this is not the only review we do other than annually.
We review daily, weekly, monthly in the Finance & Budget office



f & b
PRESENTATION 2.20.

Commissioner Sorich:

- How are property taxes being collected compared to years past?
- Are people keeping up on them?

Danette Gleason:

- There is a chart that talks about property tax revenue
- Last year we were at 55.9, and this year we are at 55.48 percent
- On a 5- year average at this time we are usually at 53.92
- Looking at this analysis we are better than we have been.

Commissioner Sorich:

- You have mentioned high personnel costs.
- How many funded positions do we have that we do not have FTE in them right now?

Danette Gleason:

Would have to look at those numbers, would not want to mislead you.



Before entertaining a motion for approval of the Consent Agenda, Chief Executive Palmer called for any friendly amendments or segregations.

Commissioner Morgan segregated Communication 24. 19-90

It was then moved by Commissioner Morgan, seconded by Commissioner McDonough and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 4, and Section B, Items 1 through 26, with the exception of, #24. 19-90.

24. COMMUNICATION NO. 19-90

Pat Holland, Government Buildings Manager requesting Council of Commissioners authorize the Chief Executive to sign the Professional Services Agreement between the City County of Butte-Silver Bow and Kone, Inc for maintenance of the elevators located at Basin Creek Water Treatment Plant, Feely Water Treatment Plant, and the 40 E. Broadway Bldg. for a 3 year and 7-month term.

Commissioner Morgan:

Asked to move this to Committee of the Whole to give them a change to look at the contracts a little closer.

It was then moved by Commissioner Morgan, seconded by Commissioner McDonough and passed with a unanimous verbal vote to Hold Communication 19-90 in the Committee of the Whole.

ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. COUNCIL ORDINANCE NO. 19-03

AN ORDINANCE AMENDING CHAPTER 9.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “WEAPONS”, AND SPECIFICALLY AMENDING SECTION 9.24.030 G 1 ENTITLED “DEFINITIONS”- “REGULATED AREA” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 19-07

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE OLR MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



3. COUNCIL RESOLUTION NO. 19-08

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-21 TO REALLOCATE BaRSSA FUNDS DISTRIBUTED IN FY18 TO A NEW PROJECT OUTLINE IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL RESOLUTION NO. 19-09

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-22 TO REALLOCATE BaRSAA FUNDS DISTRIBUTED IN FY18 TO A NEW PROJECT OUTLINED IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 5 ORDINANCES SECOND READING

SECTION 1. COUNCIL BILL NO. 19-04

COUNCIL ORDINANCE NO. 19-04

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY FIVE AND ONE-HALF ACRES FROM R-1 (SINGLE-FAMILY RESIDENCE) ZONE TO C-2 (COMMUNITY COMMERCIAL). THE AREA OF LAND IS LEGALLY DESCRIBED AS LOTS 5A-1 AND 5A-2 OF CERTIFICATE OF SURVEY 1059B-RB; LOT 6A OF CERTIFICATE OF SURVEY 953B-RB; AND LOTS 1-7 BLOCK 2 AND VACATED EVANS STREET ADJACENT, BELLEVUE ADDITION SECTION 30 TOWNSHIP 3 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, COMMONLY LOCATED SOUTH OF THE 1900 BLOCK OF HARVARD AVENUE, EAST OF PINION STREET, AND NORTH OF INTERSTATE 15-90, PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner McDonough that Council Bill 19-04, Council Ordinance No. 19-04 be placed on second reading and be



passed, having been deemed fully read at length. The motion passed with a roll call vote of 10 yea and 0 nay.

SECTION 7 SUSPENSION OF THE RULES FOR FINAL PASSAGE

It was moved by Commissioner Morgan and seconded by Commissioner McDonough and passed by a verbal vote of 10 yea and 0 nay, to suspend the rules for the purpose of passing Council Resolution 19-10 by waiving Subsection 7 of Rule XXXVI of the Rules and Order of Business of the Council of Commissioners, thereby having it considered for advanced passage without reference to the Judiciary Committee.

1. COUNCIL RESOLUTION NO. 19-10

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF CERTAIN PARCELS OF TAX DEEDED REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner McDonough that Council Resolution No. 19-10 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a roll call vote of 10 yea and 0 nay.

ADJOURN

Meeting was adjourned at 8:17a.m.

Dave Palmer, Chief Executive

ATTEST:

Clerk & Recorder

